

CHAPTER 136

STATE BOARD OF HEALTH

Referred to in [§125.2](#)

136.1	Composition of board.	136.6	Reserved.
136.2	Appointment.	136.7	Chairperson — staff assistance.
136.3	Duties.	136.8	Supplies.
136.4	Questions submitted.	136.9	Compensation and expenses.
136.5	Meetings.	136.10	Publication of proceedings.

136.1 Composition of board.

1. The state board of health shall consist of the following members:
 - a. Two members learned in health-related disciplines.
 - b. Three members who have direct experience with public health.
 - c. Two members who have direct experience with substance abuse treatment or prevention.
 - d. Four members representing the general public.
2. At least one of such members shall be licensed in the practice of medicine and surgery or osteopathic medicine and surgery under [chapter 148](#).

[S13, §2564-a; C24, 27, 31, 35, 39, [§2218](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.1]

[86 Acts, ch 1245, §1119](#); [2005 Acts, ch 175, §78](#); [2010 Acts, ch 1090, §1](#); [2011 Acts, ch 25, §17](#)
 Referred to in [§135.154](#), [§135.157](#)

136.2 Appointment.

All members of the state board of health shall be appointed by the governor to three-year staggered terms which shall expire on June 30.

The governor shall appoint annually successors to the three board members whose terms expire that year. A vacancy occurring on the board shall be filled by the governor for the unexpired term of the vacancy.

[C24, 27, 31, 35, 39, [§2219](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.2]

[89 Acts, ch 83, §27](#)

136.3 Duties.

The state board of health shall provide a forum for the development of public health policy in the state of Iowa and shall have the following powers and duties:

1. Consider and study legislation and administration concerning public health.
2. Advise the department on any issue related to the promotion and protection of the health of Iowans including but not limited to:
 - a. Prevention of epidemics and the spread of disease, including communicable and infectious diseases such as zoonotic diseases, quarantine and isolation, sexually transmitted diseases, and antitoxins and vaccines.
 - b. Protection against environmental hazards.
 - c. Prevention of injuries.
 - d. Promotion of healthy behaviors.
 - e. Preparing for, responding to, and recovering from public health emergencies and disasters.
3. Establish policies governing the performance of the department in the discharge of any duties imposed on it by law.
4. Provide guidance to the director in the discharge of the director's duties.
5. Assure that the department complies with Iowa Code and administrative rules. For this purpose the board shall have access at any time to all documents and records of the department.
6. Assure that the department prepares and distributes an annual report.
7. Advise or make recommendations to the director of public health, governor, and general

assembly relative to public health and advocate for the importance of public health standards for state and local public health.

8. Offer consultation to the governor in the appointment of the director of the department.

9. Adopt, promulgate, amend, and repeal rules and regulations consistent with law for the protection of the public health and prevention of substance abuse, and for the guidance of the department. All rules adopted by the department are subject to approval by the board.

10. Act by committee, or by a majority of the board.

11. Keep minutes of the transactions of each session, regular or special, which shall be public records and filed with the department.

12. Perform those duties authorized pursuant to [chapter 125](#). The board may appoint a substance abuse and gambling treatment program committee to approve or deny applications for licensure received from substance abuse programs pursuant to [chapter 125](#) and gambling treatment programs pursuant to [chapter 135](#) and to perform any other function authorized by [chapter 125](#) or [135](#) and delegated to the committee.

13. Perform those duties authorized pursuant to [sections 135.156](#) and [135.159](#) and other provisions of law.

[C97, §2565; C24, 27, 31, 35, 39, §2220; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.3] [86 Acts, ch 1245, §1120; 2001 Acts, ch 184, §8; 2002 Acts, ch 1050, §19; 2005 Acts, ch 175, §79, 80; 2008 Acts, ch 1188, §27, 47, 53, 66; 2010 Acts, ch 1090, §2; 2011 Acts, ch 129, §80, 82; 2016 Acts, ch 1026, §7, 8](#)

Subsection 5 stricken and former subsections 6 – 14 renumbered as 5 – 13
Subsections 5 and 7 amended

136.4 Questions submitted.

The department may lay before the board, or any committee thereof, at any regular or special meeting, any matter upon which it desires the advice or opinion of such body or committee.

[C24, 27, 31, 35, 39, §2221; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.4]

136.5 Meetings.

The board shall meet at least six times per year and as may be deemed necessary by the chairperson of the board or the director of the department. The department shall give each board member adequate notice of all meetings. A majority of the members of the board shall constitute a quorum.

[C97, §2564; S13, §2564; C24, 27, 31, 35, 39, §2222; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.5]

[2010 Acts, ch 1090, §3](#)

136.6 Reserved.

136.7 Chairperson — staff assistance.

The board shall annually in July elect a chairperson, who shall serve for a period of one year. The department shall furnish staff from the regular employees of the department to record the minutes of the meetings of the board.

[C97, §2564; S13, §2564; C24, 27, 31, 35, 39, §2224; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.7]

[2010 Acts, ch 1090, §4](#)

136.8 Supplies.

The department shall furnish the board of health with all articles and supplies necessary to enable the board to perform the duties imposed upon it by law. Such articles and supplies shall be obtained by the department in the same manner in which the regular supplies for the department are obtained and the same shall be considered and accounted for as if obtained for the use of the department.

[S13, §2564; C24, 27, 31, 35, 39, §2225; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.8]

[2010 Acts, ch 1090, §5](#)

136.9 Compensation and expenses.

The members of the board shall be reimbursed for actual expenses for each day employed in the discharge of their duties. All expense moneys paid to the members shall be paid from funds appropriated to the state department of public health. Each member of the board may also be eligible to receive compensation as provided in [section 7E.6](#).

[C97, §2574; S13, §2564, 2574; C24, 27, 31, 35, 39, §2226; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.9]

[86 Acts, ch 1245, §1121](#)

136.10 Publication of proceedings.

Upon request of the board the department shall incorporate the proceedings of the board, or any part of the proceedings, in its annual report to the governor, and those proceedings shall then be published as a part of the official report of the department.

[C24, 27, 31, 35, 39, §2227; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §136.10]

[91 Acts, ch 258, §30](#)